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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,308	02/20/2001	Natsuki Yuasa	0033-0695P	1988
2292	7590	02/08/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ALPHONSE, FRITZ	
			ART UNIT	PAPER NUMBER
			2133	
DATE MAILED: 02/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/785,308

Applicant(s)

YUASA, NATSUKI

Examiner

Fritz Alphonse

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-12 and 14-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-12,14 and 18-23 is/are rejected.
- 7) ☒ Claim(s) 15-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10/29/04 6) ☐ Other:

DETAILED ACTION

Response to Arguments

0.1 This office action is in response to Applicant's interview dated 10/28/2004 during which time it was agreed that the last office action of 8/11/2004 would be withdrawn.

0.2 claims 15 and 17 are allowable over the prior art of record.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6-8, 11-12, 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gomikawa (U.S. Pat. No. 5,576,768).

As to claims 1 and 6, Gomikawa (figs. 1, 3) show an information display device including an information receiver (representing by video signal demodulator 12, synchronous deflection circuit 13 and microcomputer 21) receiving information including at least first information (a1) and second information (e1); an information controller (i.e., caption data extractor 14) extracting said first and second information (a1 and e1) from said information received (12, 13, 21). Gomikawa (fig. 2) shows a display screen (31) including a first-information display unit (34) displaying the first information extracted; and a second-information display (32) successively displaying a second information (33) extracted.

Gomikawa does not explicitly teach a second information, which is advertisement information.

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However, this is very obvious. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have used the second-information display (32), as disclosed by Gomikawa (fig. 2), for displaying advertisement information. Doing so would efficiently deliver information in a one-to-one manner to a user to enhance availability of information.

As to claims 2, 7 and 12, Gomikawa (fig. 1) shows an information display device, wherein a second information (e1) is provided to an information receiving (21) side by an information transmitting side (22).

As to claim 8, the claim has substantially the limitations of claim one. Therefore, it is rejected under the same rationale as claim 1.

As to claim 11, the claim differs from claim 1 only by the additional limitation "a second-information receiver receiving a second information transmitted from second-information transmitter". However, Gomikawa (fig. 1) shows a second-information receiver (21) receiving a second information (e1) transmitted from the second-information transmitter (22).

As to claim 18, Gomikawa (Fig. 1) shows an information display device, wherein the information receiver (12, 13, 21) receives the first information (a1) and the second information (e1) through different communication paths, respectively.

As to claim 19, the claim has substantially the limitations of claim 5; therefore, it is analyzed as previously discussed in claim 5 above.

As to claims 20-22, Gomikawa (fig. 1) shows an information display device, wherein the first information (a1) is independent of the second information (e1).

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3. Claims 4, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gomikawa in view of Gatti (U.S. Pat. No. 5,719,761).

As to claims 4, 9, and 14, Gomikawa does not disclose a display device, which is displaying information even when the information display device is powered off. However, the limitation is clearly disclosed by Gatti (col. 3, lines 30-33).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Gomikawa with a system that displays information even when the information display device is powered off, as disclosed by Gatti. Doing so would provide significant time savings in configuring multiple devices and a significant advantage to users (col. 9, lines 17-21).

4. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gomikawa in view of You (U.S. Pat. No. 5,946,046).

As to claims 5 and 10, Gomikawa does not teach a first information display unit and a second-information display unit are separate from each other. However, the limitations are obvious and very well known in the art, as evidenced by You (see figure 6).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Gomikawa by specifically providing a system having a first information display unit separated from a second-information display unit. By doing so, a screen displaying a video signal is not covered by caption processing when caption is displayed by a display device separate from a monitor which displays a video signal (col. 2, lines 33-38).

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5. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gomikawa in view of Darbee (U.S. Pat. No. 6,002,450).

As to claim 23, the claim differs from claim 1 by the additional limitation "the information display device is a remote controller".

However, using a remote controller for displaying information is very well known in the art, as evidenced by Darbee (see figures 1, 5; col. 1, lines 15-19).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to improve upon the two-way remote control with advertising display, as disclosed by Darbee. Doing so, the display on the remote control can act as pay-per-view events, products, services, coupon offers or any other advertising offers (col. 3, lines 10-32).

Allowable Subject Matter

6. Claims 15, 16, 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. None of the cited references teach an information receiver that receives third information extracted from the first and second information and displayed on a third display.

Response to Arguments

7. Applicant's arguments, see interview summary, filed 10/28/2004, with respect to claims 1-19 have been fully considered. The rejection of the claims in the last Office Action mailed 8/11/2004 has been withdrawn.

Conclusion

8. Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks, Washington, D.C. 20231

or faxed to: (703) 872-9306 for all formal communications.

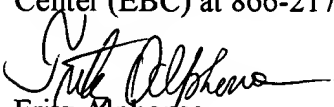
Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Fourth Floor (Receptionist).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (571) 272-3813. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert De Cady, can be reached at (571) 272-3819.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Fritz Alphonse

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January 9, 2005


Guy J. Lamine
Primary Examiner